

**CITY OF NEWPORT BEACH  
COUNCIL CHAMBERS – 3300 NEWPORT BOULEVARD  
Wednesday, June 29, 2011  
Regular Meeting – 3:30 p.m.**

## HEARING ITEMS

**ITEM NO. 1.**

Mixed Use Development – Parcel Map No. NP2011-006 (PA2011-094)  
3388 Via Lido Council District 1

## SUMMARY:

A parcel map for condominium purposes for a mixed-use development comprised of two residential condominium units and two floors of commercial use within an existing commercial building. A modification to the Title 19 (Subdivision Code) development standards is requested to maintain a single sewer line connection and a single domestic water line connection to the City waiving the requirement for separate connections pursuant to Section 19.64.070 (Standards for Condominium Conversions). The property is located in the MU-W2 (Mixed-Use Water Related) District.

### RECOMMENDED ACTION:

- 1) Conduct public hearing; and
- 2) Approve Parcel Map No. NP2011-006 (PA2011-094) subject to the recommended findings.

## CEQA

## COMPLIANCE:

The project is exempt from environmental review pursuant to Section 15315, Class 15 (Minor Land Divisions) of the Implementing Guidelines of the California Environmental Quality Act.

**ITEM NO. 2.**

Sun Accupressure – Minor Use Permit No. UP2011-016 (PA2011-097)  
3933 Birch Street Council District 4

## SUMMARY:

Request to establish a 1,695-square-foot massage therapy use in an existing commercial building. The facility will consist of a reception area, a waiting room, an office, a shower room, two restrooms, and six therapy rooms. Proposed hours of operation are 10:00 a.m. to 9:00 p.m., daily. The property is located in the OA (Office-Airport) District.

### RECOMMENDED ACTION:

- 1) Conduct public hearing; and
- 2) Approve Minor Use Permit No. UP2011-016 (PA2011-097) subject to the recommended findings and conditions.

**CEQA**

**COMPLIANCE:** The project is categorically exempt under Section 15301, of the California Environmental Quality Act (CEQA) Guidelines - 1 (Existing Facilities).

**ITEM NO. 3.** Masarik Senior Accessory Dwelling Unit – Minor Use Permit No. UP2011-019 (PA2011-101)  
523 Aliso Avenue Council District 2

**SUMMARY:** A minor use permit to allow for construction of a senior accessory dwelling unit at an existing single-family residence in accordance with Chapter 20.48 of the Zoning Code. The property is located in the R-1 (Single-Unit Residential) District.

**RECOMMENDED  
ACTION:**

- 1) Conduct public hearing; and
- 2) Approve Minor Use Permit No. UP2011-019 (PA2011-101) subject to the recommended findings and conditions.

**CEQA**

**COMPLIANCE:** The project is categorically exempt under Section 15303, of the California Environmental Quality Act (CEQA) Guidelines - Class 3 (New Construction or Conversion of Small Structures).

**ITEM NO. 4.** La Pain Quotidien– Minor Use Permit No. UP2011-017 (PA2011-102)  
1103 A Newport Center Drive Council District 5

**SUMMARY:** A minor use permit to allow alcoholic beverage service (Type 41, On-Sale Beer and Wine) in conjunction with a new specialty bakery/restaurant which will occupy a currently vacant retail space (3,495 gross square feet) and will include one outdoor dining patio (800 gross square feet) within the Fashion Island Shopping Center pursuant to the PC-56 (North Newport Center Planned Community) District regulations. The proposed hours of operation are 7:00 a.m. until 10:00 p.m. Monday through Friday, 7:30 a.m. until 11:00 p.m. Thursday through Saturday, and 8:00 a.m. until 10:00 p.m. on Sunday. The property is located in the PC-56 (North Newport Center) District.

**RECOMMENDED  
ACTION:**

- 1) Conduct public hearing; and
- 2) Approve Minor Use Permit No. UP2011-017 (PA2011-102) subject to the recommended findings and conditions.

**CEQA**

**COMPLIANCE:** The project is categorically exempt under Section 15303, of the California Environmental Quality Act (CEQA) Guidelines - Class 3 (New Construction or Conversion of Small Structures).

**ITEM NO. 5.** Temporary Modular Classrooms – Limited Term Permit No. XP2011-003 (PA2011-100)  
798 Dover Drive Council District 3

**SUMMARY:** A limited term permit to install six 880-square-foot prefabricated, modular classroom units adjacent to the existing chapel building of the Newport Harbor Lutheran Church. The units will be installed in two phases of three units each and will be in place for greater than 90 days. The property is located in the PC-2 (Newport Harbor Lutheran Church) District.

**RECOMMENDED**

**ACTION:**

- 1) Conduct public hearing; and
- 2) Approve Limited Term Permit No. XP2011-003 (PA2011-100) subject to the recommended findings and conditions.

**CEQA**

**COMPLIANCE:** The project is categorically exempt under Section 15311, of the California Environmental Quality Act (CEQA) Guidelines - Class 11 (Accessory Structures).

This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least 72 hours in advance of each hearing and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Zoning Administrator may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact the Planning Division at least 48 hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible.

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any writings or documents provided to the Zoning Administrator regarding any item on this agenda will be made available for public inspection in the office of the Planning Division located at 3300 Newport Boulevard, during normal business hours.

**APPEAL PERIOD:** Modification Permit applications do not become effective until 14 days after the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.

Tentative Parcel Map, Condominium Conversion, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.